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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q66868

Hiroaki YASUDA

Appln. No.: 09/986,152

Group Art Unit: 2878

Confirmation No.: 4855

Examiner: Timothy J. Moran

Filed: November 7, 2001

For: RADIATION IMAGE INFORMATION READING APPARATUS

**PETITION UNDER 37 C.F.R. § 1.705: REQUEST FOR RECONSIDERATION OF
PATENT TERM ADJUSTMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.705, Applicant requests reconsideration of the Patent Term Adjustment. Applicant submits that the Patent Term Adjustment should be 314 days, as originally indicated in the Determination of Patent Term Adjustment forwarded with the Notice of Allowance on March 8, 2004.

A brief statement of facts in support of the adjustment follows:

- 1) In the originally mailed Notice of Patent Term Adjustment, the period of adjustment was identified as 314 days.
- 2) Applicant timely paid the issue fee on June 8, 2004.
- 3) Applicant received an Issue Notification dated July 1, 2004 indicating a reduction of Patent Term Adjustment from 314 days to 221 days, or a loss of 93 days.
- 4) Examination of the PAIR system indicates that on April 19, 2004, a miscellaneous incoming letter incurred a delay of 93 days.

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5) Timely Comments on Statement for Reasons of Allowance were filed on April 19, 2004, a copy of which is enclosed herewith. According to the Clarification of 37 C.F.R. § 1.704(c)(10) (Official Gazette June 16, 2001), comments on the Examiner's Statement for Reasons of Allowance will not be deemed to cause substantial interference and delay in the patent issue process.

6) Applicant did not file any other papers, besides timely payment of the issue fee, subsequent to receiving the Notice of Allowance.

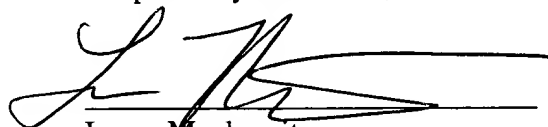
Enclosed are a copy of the Notice of Allowance and Fees Due, including the Determination of Patent Term Adjustment and the Notice of Allowability; a copy of the Issue Notification; and a copy of the Comments on Statement for Reasons of Allowance of April 19, 2004 for the above-identified application.

Applicant submits that the 93 days reduction in patent term is improper and thus, Applicants request a correction of the Patent Term Adjustment to read **a total of 314 days**.

This request is filed within 30 days of the date of issuance for the application captioned above. This application is not subject to a terminal disclaimer.

The USPTO is directed and authorized to charge the statutory fee of \$200.00 and all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



Laura Moskowitz
Registration No. 55,470

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

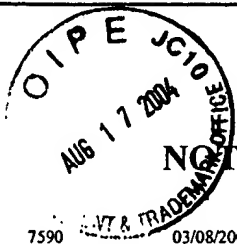
CUSTOMER NUMBER

Date: August 17, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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NOTICE OF ALLOWANCE AND FEE(S) DUE

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3202

DOCKETED

MAR 09 2004

EXAMINER	
MORAN, TIMOTHY J	
ART UNIT	PAPER NUMBER

2878

DATE MAILED: 03/08/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,152	11/07/2001	Hiroaki Yasuda	Q66868	4855

TITLE OF INVENTION: RADIATION IMAGE INFORMATION READING APPARATUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	06/08/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMA. shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,152	11/07/2001	Hiroaki Yasuda	Q66868	4855

7590 03/08/2004

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Washington, DC 20037-3202

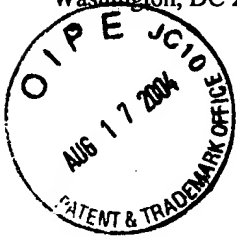
EXAMINER

MORAN, TIMOTHY J

ART UNIT PAPER NUMBER

2878

DATE MAILED: 03/08/2004



Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 314 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 314 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



Notice of Allowability

Application No.

09/986,152

Examiner

Timothy J. Moran

Applicant(s)

YASUDA, HIROAKI

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed February 17, 2004.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ The drawings filed on 07 November 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____:
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

Claims 1-6 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1 and 6 includes limitations that a stimuable phosphor reading apparatus comprises integration processing means for carrying out data processes for image pixel data corresponding to individual detector pixels and for image pixel data corresponding to two or more detector pixels.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dewaele, cited in the action mailed November 17, 2003, describes a stimuable phosphor reader which calculates the value of an image data pixel by using data from a plurality of pixels (abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Moran whose telephone number is 571-272-2443. The examiner can normally be reached on M-F 8:30-5:00.


Art Unit: 2878

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T.M.

TM
March 2, 2004


CONSTANTINE HANNAHER
PRIMARY EXAMINER
GROUP ART UNIT 2878



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,152	07/20/2004	6765225	Q66868	4855

7590 07/01/2004

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2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3202

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 221 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

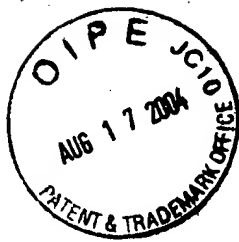
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APPLICANT(S):

Hiroaki Yasuda, Kaisei-machi, JAPAN;



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q66868

Hiroaki YASUDA

Appln. No.: 09/986,152

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Confirmation No.: 4855

Examiner: Timothy J. Moran

Filed: November 07, 2001

For: RADIATION IMAGE INFORMATION READING APPARATUS

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

FILED
APR 19 2004

REMARKS

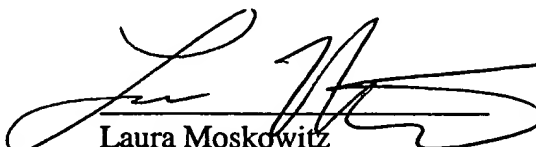
Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance, set forth on page 2 of the Notice of Allowability, dated March 8, 2004.

In the Reasons for Allowance, the Examiner has used terms which are not used in the claims, such as "detector pixel".

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
U.S. APPLICATION NO. 09/986,152
ATTORNEY DOCKET NO. Q66868

Therefore, the interpretation of the claims should not be made based on the Examiner's comments, but rather on the actual language of the claims.

Respectfully submitted,


Laura Moskowitz
Registration No. 55,470

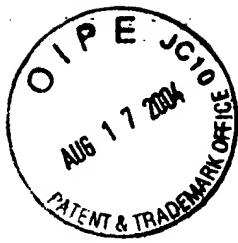
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 19, 2004



FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

Hiroaki YASUDA

Appln. No.: 09/986,152

Group Art Unit: 2878

Confirmation No.: 4855

Examiner: Timothy J. Moran

Filed: November 07, 2001

For: RADIATION IMAGE INFORMATION READING APPARATUS

PAPER(S) FILED ENTITLED:

1. COMMENTS ON STATEMENT OF REASONS FOR
ALLOWANCE

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DOCKET NO.: Q66868

ATTORNEY/SEC: SPP:LEM

Date Filed: April 19, 2004

WASHINGTON OFFICE

23373

CUSTOMER NUMBER